UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

WESTFIELD EAST MAIN STREET LLC,))
Plaintiff,))
v. C. DAVID TRADER and JEAN M. TRADER, DONALD GOVE, MARK D. SIEBERT, BRIAN BURKE, MICHALE BRETON, BRADFORD MOIR, MARY MOIR, INTERSTATE BUILDING SUPPLY, INC. and LUMBER CENTER, INC.,)) C.A. No. 04-30170-MAP))))))
Defendants.)))

NOTICE OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(i), plaintiff Westfield East Main Street LLC hereby dismisses all claims against defendant Mark D. Siebert in this action with prejudice, without costs, and waiving all rights of appeal.

WESTFIELD EAST MAIN STREET LLC

By its attorneys,

/s/ Pamela A. Zorn

David A. Brown, BBO# 556161 Pamela A. Zorn, BBO# 640800 Sherin and Lodgen LLP 101 Federal Street Boston, Massachusetts 02110 (617) 646-2000

Dated: September 21, 2004